IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

Civil Revision No. 6294 of 2006
Date of decision:- July 26, 2007

Ram Dutt and others .....Petitioners.

Versus

State Bank of India .....,Respondent

CORAM:- HON'BLE MR. JUSTICE RAJESH BINDAL

Present: - Mr. Sandeep Punchhi, Advocate and
Mr.Dheeraj Narula, Advocate
for the petitioners.

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The petitioners herein have challenged the order dated September 11, 2006 passed by Civil Judge (Senior Division), Sirsa, allowing the application under Order 39 Rule 6 and 7 of the Code of Civil Procedure ordering possession and disposal of hypothecated property, namely, the tractor.

The case was firstly listed on November 27, 2006 and thereafter has been adjourned five times. As per the order, a direction was issued to the Receiver appointed by the Court to get a notice published in the local newspaper regarding auction on or before November 27, 2006 giving 15 days clear notice to the public regarding auction and sale proceeds were directed to be deposited in the Government treasury.

Learned counsel appearing for the petitioner is not able to inform the Court as to whether the order passed by the Civil Judge has been given effect to during the pendency of the petition before this Court or not. In the absence of the same, it would not be appropriate for this Court to interfere in the order at this stage. Accordingly, the petition is dismissed.

(RAJESH BINDAL)
JUDGE

July 26, 2007.
RS/preeti